

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: COOK MEDICAL, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION

MDL No. 2440

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO -3)

On June 11, 2013, the Panel transferred 8 civil action(s) to the United States District Court for the Southern District of West Virginia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* ____ F.Supp.2d____ (J.P.M.L. 2013). Since that time, 18 additional action(s) have been transferred to the Southern District of West Virginia. With the consent of that court, all such actions have been assigned to the Honorable Joseph R Goodwin.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of West Virginia and assigned to Judge Goodwin.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Southern District of West Virginia for the reasons stated in the order of June 11, 2013, and, with the consent of that court, assigned to the Honorable Joseph R Goodwin.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of West Virginia. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.

Jul 18, 2013

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

**IN RE: COOK MEDICAL, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION**

MDL No. 2440

SCHEUDLE CTO-3 – TAG-ALONG ACTIONS

DIST DIV. C.A.NO. CASE CAPTION

GEORGIA NORTHERN

GAN	1	13-02196	Hogan v. Cook Group, Inc. et al
GAN	1	13-02197	Robinson v. Cook Group, Inc. et al

MASSACHUSETTS

MA	1	13-11569	Clark v. Boston Scientific Corp. et al
----	---	----------	--

OREGON

OR	3	13-01094	Gann v. Cook Group, Inc. et al
----	---	----------	--------------------------------

Activity in Case MDL No. 2440 IN RE: Cook Medical, Inc., Pelvic Repair System Products Liability Litigation CTO Final Minute Order (Clerks)
JPMLCMECF
to:
JPMLCMDECF
07/18/2013 08:03 AM
Show Details

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

United States

United States Judicial Panel on Multidistrict Litigation

Notice of Electronic Filing

The following transaction was entered on 7/18/2013 at 8:01 AM EDT and filed on 7/18/2013

Case Name: IN RE: Cook Medical, Inc., Pelvic Repair System Products Liability Litigation

Case Number: MDL No. 2440

Filer:

Document Number: No document attached

Docket Text:

*****TEXT ONLY ENTRY*****

MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-3) Finalized on 7/18/13. Please see pleading (3 in GAN/1:13-cv-02196, 3 in GAN/1:13-cv-02197, 3 in MA/1:13-cv-11569, [63] in MDL No. 2440, 3 in OR/3:13-cv-01094).

As stipulated in Rule 7.1(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, transmittal of the order has been stayed 7 days to give any party an opportunity to oppose the transfer.

The 7-day period has now elapsed, no opposition was received, and the order is directed to the Clerk of the United States District Court for the S.D. West Virginia for filing. The Panel governing statute, 28 U.S.C. 1407, requires that the transferee clerk transmit a certified copy of the Panel order to transfer to the clerk of the district court from which the action is being transferred.

Signed by Clerk of the Panel Jeffery N. Luthi on 7/18/2013.

Associated Cases: MDL No. 2440, GAN/1:13-cv-02196, GAN/1:13-cv-02197, MA/1:13-cv-11569, OR/3:13-cv-01094 (DP)

Case Name: Robinson v. Cook Group, Inc. et al

Case Number: GAN/1:13-cv-02197

Filer:

Document Number: No document attached

Docket Text:*****TEXT ONLY ENTRY*****

MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-3) Finalized on 7/18/13. Please see pleading (3 in GAN/1:13-cv-02196, 3 in GAN/1:13-cv-02197, 3 in MA/1:13-cv-11569, [63] in MDL No. 2440, 3 in OR/3:13-cv-01094).

As stipulated in Rule 7.1(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, transmittal of the order has been stayed 7 days to give any party an opportunity to oppose the transfer.

The 7-day period has now elapsed, no opposition was received, and the order is directed to the Clerk of the United States District Court for the S.D. West Virginia for filing. The Panel governing statute, 28 U.S.C. 1407, requires that the transferee clerk transmit a certified copy of the Panel order to transfer to the clerk of the district court from which the action is being transferred.

Signed by Clerk of the Panel Jeffery N. Luthi on 7/18/2013.

Associated Cases: MDL No. 2440, GAN/1:13-cv-02196, GAN/1:13-cv-02197, MA/1:13-cv-11569, OR/3:13-cv-01094 (DP)

Case Name: Gann v. Cook Group, Inc. et al

Case Number: [OR/3:13-cv-01094](#)

Filer:

Document Number: No document attached

Docket Text:*****TEXT ONLY ENTRY*****

MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-3) Finalized on 7/18/13. Please see pleading (3 in GAN/1:13-cv-02196, 3 in GAN/1:13-cv-02197, 3 in MA/1:13-cv-11569, [63] in MDL No. 2440, 3 in OR/3:13-cv-01094).

As stipulated in Rule 7.1(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, transmittal of the order has been stayed 7 days to give any party an opportunity to oppose the transfer.

The 7-day period has now elapsed, no opposition was received, and the order is directed to the Clerk of the United States District Court for the S.D. West Virginia for filing. The Panel governing statute, 28 U.S.C. 1407, requires that the transferee clerk transmit a certified copy of the Panel order to transfer to the clerk of the district court from which the action is being transferred.

Signed by Clerk of the Panel Jeffery N. Luthi on 7/18/2013.

Associated Cases: MDL No. 2440, GAN/1:13-cv-02196, GAN/1:13-cv-02197, MA/1:13-cv-11569, OR/3:13-cv-01094 (DP)

Case Name: Hogan v. Cook Group, Inc. et al

Case Number: GAN/1:13-cv-02196

Filer:

Document Number: No document attached

Docket Text:

*****TEXT ONLY ENTRY*****

MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-3) Finalized on 7/18/13. Please see pleading (3 in GAN/1:13-cv-02196, 3 in GAN/1:13-cv-02197, 3 in MA/1:13-cv-11569, [63] in MDL No. 2440, 3 in OR/3:13-cv-01094).

As stipulated in Rule 7.1(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, transmittal of the order has been stayed 7 days to give any party an opportunity to oppose the transfer.

The 7-day period has now elapsed, no opposition was received, and the order is directed to the Clerk of the United States District Court for the S.D. West Virginia for filing. The Panel governing statute, 28 U.S.C. 1407, requires that the transferee clerk transmit a certified copy of the Panel order to transfer to the clerk of the district court from which the action is being transferred.

Signed by Clerk of the Panel Jeffery N. Luthi on 7/18/2013.

Associated Cases: MDL No. 2440, GAN/1:13-cv-02196, GAN/1:13-cv-02197, MA/1:13-cv-11569, OR/3:13-cv-01094 (DP)

Case Name: Clark v. Boston Scientific Corp. et al

Case Number: MA/1:13-cv-11569

Filer:

Document Number: No document attached

Docket Text:

*****TEXT ONLY ENTRY*****

MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-3) Finalized on 7/18/13. Please see pleading (3 in GAN/1:13-cv-02196, 3 in GAN/1:13-cv-02197, 3 in MA/1:13-cv-11569, [63] in MDL No. 2440, 3 in OR/3:13-cv-01094).

As stipulated in Rule 7.1(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, transmittal of the order has been stayed 7 days to give any party an opportunity to oppose the transfer.

The 7-day period has now elapsed, no opposition was received, and the order is directed to the Clerk of the United States District Court for the S.D. West Virginia for filing. The Panel governing statute, 28 U.S.C. 1407, requires that the transferee clerk transmit a certified copy of the Panel order to transfer to the clerk of the district court from which the action is being transferred.

Signed by Clerk of the Panel Jeffery N. Luthi on 7/18/2013.

Associated Cases: MDL No. 2440, GAN/1:13-cv-02196, GAN/1:13-cv-02197, MA/1:13-cv-11569, OR/3:13-cv-01094 (DP)

No public notice (electronic or otherwise) sent because the entry is private

Activity in Case MDL No. 2440 IN RE: Cook Medical, Inc., Pelvic Repair System Products Liability Litigation Conditional Transfer Order Finalized

JPMLCMECF

to:

JPMLCMDECF

07/18/2013 08:02 AM

Show Details

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

NOTE TO PUBLIC ACCESS USERS Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

United States

United States Judicial Panel on Multidistrict Litigation

Notice of Electronic Filing

The following transaction was entered on 7/18/2013 at 8:00 AM EDT and filed on 7/18/2013

Case Name: IN RE: Cook Medical, Inc., Pelvic Repair System Products Liability Litigation

Case Number: [MDL No. 2440](#)

Filer:

Document Number: [63](#)

Docket Text:

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-3) - 4 action(s) re: pldg. (1 in GAN/1:13-cv-02196, 1 in GAN/1:13-cv-02197, 1 in MA/1:13-cv-11569, [54] in MDL No. 2440, 1 in OR/3:13-cv-01094) Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 7/18/2013.

Associated Cases: MDL No. 2440, GAN/1:13-cv-02196, GAN/1:13-cv-02197, MA/1:13-cv-11569, OR/3:13-cv-01094 (DP)

Case Name: Robinson v. Cook Group, Inc. et al

Case Number: [GAN/1:13-cv-02197](#)

Filer:

Document Number: [3](#)

Docket Text:

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-3) - 4 action(s) re: pldg. (1 in GAN/1:13-cv-02196, 1 in GAN/1:13-cv-02197, 1 in MA/1:13-cv-11569, [54] in MDL No. 2440, 1 in OR/3:13-cv-01094) Inasmuch as no objection is pending at this time, the stay

is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 7/18/2013.

Associated Cases: MDL No. 2440, GAN/1:13-cv-02196, GAN/1:13-cv-02197, MA/1:13-cv-11569, OR/3:13-cv-01094 (DP)

Case Name: Gann v. Cook Group, Inc. et al

Case Number: OR/3:13-cv-01094

Filer:

Document Number: 3

Docket Text:

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-3) - 4 action(s) re: pldg. (1 in GAN/1:13-cv-02196, 1 in GAN/1:13-cv-02197, 1 in MA/1:13-cv-11569, [54] in MDL No. 2440, 1 in OR/3:13-cv-01094) Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 7/18/2013.

Associated Cases: MDL No. 2440, GAN/1:13-cv-02196, GAN/1:13-cv-02197, MA/1:13-cv-11569, OR/3:13-cv-01094 (DP)

Case Name: Hogan v. Cook Group, Inc. et al

Case Number: GAN/1:13-cv-02196

Filer:

Document Number: 3

Docket Text:

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-3) - 4 action(s) re: pldg. (1 in GAN/1:13-cv-02196, 1 in GAN/1:13-cv-02197, 1 in MA/1:13-cv-11569, [54] in MDL No. 2440, 1 in OR/3:13-cv-01094) Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 7/18/2013.

Associated Cases: MDL No. 2440, GAN/1:13-cv-02196, GAN/1:13-cv-02197, MA/1:13-cv-11569, OR/3:13-cv-01094 (DP)

Case Name: Clark v. Boston Scientific Corp. et al

Case Number: MA/1:13-cv-11569

Filer:

Document Number: 3

Docket Text:

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-3) - 4 action(s) re: pldg. (1 in GAN/1:13-cv-02196, 1 in GAN/1:13-cv-02197, 1 in MA/1:13-cv-11569, [54] in MDL No. 2440, 1 in OR/3:13-cv-01094) Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 7/18/2013.

Associated Cases: MDL No. 2440, GAN/1:13-cv-02196, GAN/1:13-cv-02197, MA/1:13-cv-11569, OR/3:13-cv-01094 (DP)

MDL No. 2440 Notice has been electronically mailed to:

MDL No. 2440 Notice will not be electronically mailed to:

GAN/1:13-cv-02197 Notice has been electronically mailed to:

Douglas B King dking@woodmclaw.com, jschuster@woodmclaw.com

Michael Brandon Smith bsmith@cssfirm.com

GAN/1:13-cv-02197 Notice will not be electronically mailed to:

OR/3:13-cv-01094 Notice has been electronically mailed to:

Douglas B King dking@woodmclaw.com, jschuster@woodmclaw.com

Leslie W. O'Leary lolearly@wdolaw.com

Michael L. Williams michael_williams@wdolaw.com, bsteinle@wdolaw.com,
jzimmerman@wdolaw.com

OR/3:13-cv-01094 Notice will not be electronically mailed to:

GAN/1:13-cv-02196 Notice has been electronically mailed to:

Douglas B King dking@woodmclaw.com, jschuster@woodmclaw.com

Michael Brandon Smith bsmith@cssfirm.com

GAN/1:13-cv-02196 Notice will not be electronically mailed to:

MA/1:13-cv-11569 Notice has been electronically mailed to:

Douglas B King dking@woodmclaw.com, jschuster@woodmclaw.com

Walter Kelley walterkelley@duejustice.com

Robert T. Adams rtadams@shb.com

MA/1:13-cv-11569 Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP JPMStamp_ID=1090522767 [Date=7/18/2013] [FileNumber=391052-0]]

[ca453515fc67918c3ff6a8c20fbdc5959fbc1c719e76925eba94f0ae06c5fc252ead6
ce890519301f60966fdfa88eb7532c5fc4c485350f70850e79308285150]]